UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,654	08/13/2001	Luu Tran	SUN-P6090	9572

7590 11/03/2004	**EXAMINER**
WAGNER, MURABITO & HAO LLP	TRAN, NGHI V
Two North Market Street	

	ART UNIT	PAPER NUMBER
Third Floor	2151	

Two North Market Street
Third Floor
San Jose, CA 95113

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/929,654	TRAN ET AL.
	Examiner	**Art Unit**	
	Nghi V Tran	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2001*.

2a)☐ This action is **FINAL.** 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☒ Claim(s) *1* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) ۹

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

2.   Claim 1 is objected to because of the following informalities:

The phrase "said <u>plurality of application</u>" (emphasis added) appears to be a type typo error for --said plurality of applications--.

Appropriate correction is required.

Claim Interpretations

3.   In claims 6 and 15, the applicant wrote, "said content is provided in response to said particular client <u>if</u> said content is authorized for delivery to said particular client and available to the server system" (emphasis added). There are two possible occurrences for the "if" condition. The "if" condition is either TRUE or FALSE. The limitation "said content is provided in response to said particular client " only occurs and has patentable weight if the condition claimed by applicant is TRUE. If the condition claimed by applicants is FALSE (or it does not occur), then any limitation associates with the "if" condition will not have any patentable weight.

The "if" limitation occurs many times in this application. For purpose of examination, the examiner only explains one specific claim interpretation as discussed above. All other "if" limitation will have the similar claim interpretations.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Bonefas et al., U.S. Patent Application Publication 2002/0052968 (hereinafter Bonefas).

Taking claim 1 as an exemplary claim, Bonefas teaches a wireless server system comprising:

- an applications content selection module (items 124 and 128) for providing wireless applications content parameters pertinent to a type of wireless client (paragraph 0073, page 7); and

- a plurality of applications content provider service (items 122 and 132), in response to receiving a particular client type associated with a particular wireless client for dynamically presenting authorized content in a format suitable to the wireless client based on the particular client type (paragraph 0071, pages 6-7), and

- wherein the plurality of applications content provider service (items 122 and 132) is also for formatting selected content to the particular wireless client for presentation thereto (paragraph 0371, pages 18-19).

With respect to claim 2, Bonefas further teaches an applications content available module (items 122, 128, 132, 140, and 142) coupled to the content selection module (item 124) for determining whether content selected by the particular wireless client is available to the server system for delivery to the particular wireless client (paragraphs 0182-0183, page 12).

With respect to claim 3, Bonefas further teaches an automatic client detection service for automatically detecting and providing client type information of the particular wireless client (paragraphs 0184 and 0186, page 12).

With respect to claim 4, Bonefas further teaches the particular client (item 112) provides a service request to determine the type of content to be delivered to the particular client (paragraph 0068, page 6; and paragraph 0015, page 2).

With respect to claim 5, Bonefas further teaches the service request includes header information, which identifies the class type of, the particular client (paragraph 0189, pages 12-13).

With respect to claim 6, Bonefas further teaches the content is provided in response to the particular client (item 112) if the content is authorized for delivery to the particular client and available to the server system (paragraph 0215-0217, page 14).

With respect to claim 7, Bonefas further teaches the applications content provider module formats content specific to client type information provided by the particular client ().

With respect to claim8, Bonefas further teaches the particular client is a hand-held device (paragraph 004, page 1).

With respect to claim 9, Bonefas further teaches the particular client is a wireless phone (paragraph 0004, page 1).

Claims 10-19, and 22-24 are also rejected for the same reason set forth in claims 1-9 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonefas as applied to claims 1-19 and 22-24 above, and further in view of Mei, Hsing, Fu Jen Catholic University (hereinafter Hsing).

With respect to claim 20, Bonefas fails to teach a wireless markup language. However, Bonefas clearly teaches a user interface (item 104). In wireless communication, Hsing teaches the user interface further includes the wireless markup language (page 5 of 14). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify Bonefas in view of Hsing by

specifying the wireless markup language. The motivation for doing so would have been obvious because WML (Wireless Markup Language) is a markup language based on XML, and is intended for use in specifying content and user interface for narrowband devices.

With respect to claim 21 Bonefas fails to teach a wireless handheld markup language. However, Bonefas clearly teaches a handheld user interface (item 104). In wireless communication, Hsing teaches the user interface further includes the wireless handheld markup language (page 5 of 14). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify Bonefas in view of Hsing by specifying the wireless handheld markup language. The motivation for doing so would have been obvious because WML (Wireless Markup Language) is a markup language based on XML, and is intended for use in specifying content and user interface for narrowband devices such as mobile phone or handheld.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a.   "Wireless, radio-frequency communications using a handheld computer," by Lincke et al., U.S. Patent Application Publication Number 2002/0109706.

b.   "Method and apparatus for secure authentication and sensitive data management," by Gurevich et al., U.S. Patent Application Publication Number 2002/0178370.

    c.   "Systems and methods for on-location, wireless access of web content," by Lee et al., U.S. Patent Application Publication Number 2002/0101848.

    d.   "Method and system for remote and local mobile network management," by Sharma et al., U.S. Patent Application Publication Number 2002/0068559.

    e.   "Apparatus and methods for intelligently providing applications and data on a mobile device system," by Peng, U.S. Patent Application Publication Number 2002/0078209.

    f.   "Remote control of computer network activity," by McAlear, U.S. Patent Number 6,754,710.

    g.   "System and method for performing an electronic transaction using a transaction proxy with an electronic wallet," by Young et al., U.S. Patent Application Publication Number 2002/0065774.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

<div style="text-align:right">

Nghi V Tran
Examiner
Art Unit 2151

</div>

NT

ZARNI MAUNG
PRIMARY EXAMINER